Case 1:08-cv-07286-LAK-KNF Document 38 Filed 05/01/p9 Fractor Id(S. DC

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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

S.D. OF N.Y.

Roy Den Hollander, William A. Nosal,

Plaintiffs on behalf of themselves and all others similarly situated,

Docket No. 08 Civ 7286 (LAK)(KNF)(ECF)

-against-

NOTICE OF APPEAL

Institute for Research on Women & Gender at Columbia University; School of Continuing Education at Columbia University; Trustees of Columbia University in the City of New York; U.S. Department of Education; Margaret Spellings, U.S. Secretary of Education in her official capacity; Board of Regents of the University of the State of New York, in his or her official and individual capacity;

Chancellor of the Board of Regents, Robert M. Bennett, in his official and individual capacity;

New York State Commissioner of the Department of Education, Richard P. Mills, in his official and individual capacity; and President of the New York State Higher Education Services Corp., James C. Ross, in his official and individual capacity:

| Defendants. |    |
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Notice is given that Roy Den Hollander, attorney for himself, William A. Nosal, and the putative class in the above named case, appeals to the United States Court of Appeals for the Second Circuit from an order dismissing the plaintiffs' putative class action First Amended Complaint with prejudice entered in this action on the 24th day of April 2009.

Dated: New York, N.Y. May 1, 2009

> Roy Den Hollander (RDH 1957) Attorney and class representative

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